

September 14, 1999

MEMORANDUM TO: Chairman Dicus

FROM: William D. Travers /original signed by/
Executive Director for Operations

SUBJECT: UPDATE TO STAFF RESPONSE TO TASKING MEMORANDUM AND
STAKEHOLDER CONCERNS

Attached for your information is the staff's September update to the plan of short- and long-term actions to respond to selected issues raised during the July 30, 1998, hearing before the Senate Subcommittee on Clean Air and Wetlands, Private Property, and Nuclear Safety and the July 17, 1998, Commission meeting with stakeholders.

Additions and changes to the August 1999, update are marked in redline and strike out. Minor editorial changes have not been highlighted. Explanations for changes are provided in the associated remarks.

Since the August update, the following significant milestones have been completed:

- I. A safety evaluation was issued for Arkansas Nuclear One that approved a pilot program which utilizes risk-information for determining the locations for performing certain types of in-service inspections of piping.
- II. A revised enforcement policy that addresses elimination of regulatory significance was developed and submitted to the Commission.
- III. The rulemaking for the Holtec HISTAR 100 (Dual-Purpose) cask system was completed and the certificate of compliance for use under Part 72 was issued.
- IV. The inspection associated with the shipment of the PGE-Trojan reactor vessel was completed.
- V. The safety evaluation for Browns Ferry 2 and 3 approving the extension of allowed outage times for Emergency Diesel Generators was issued.
- VI. A meeting was conducted with stakeholders on the subject of risk-informing 10 CFR Part 50 requirements.
- VII. A change was published that amended 10 CFR Part 51. The rule change revised the environmental information required in applications to renew the operating licenses of nuclear power plants.

Attachment: As stated

cc: Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield

OGC
CFO
CIO
SECY

STAFF RESPONSE TO TASKING MEMORANDUM AND STAKEHOLDER CONCERNS

as of September 7, 1999

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I. Topic Area: Risk-Informed and Performance-Based Regulation

SES Managers: Gary Holahan, Director, DSSA/NRR, and Thomas King, Director, DST/RES

A. Specific Issue: Evaluation of Industry Proposals and Rulemaking

Objective: The objectives are enhancing safety decisions, efficiently utilizing NRC resources, reducing unnecessary conservatism, as well as soliciting industry insights.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Conduct discussions with ACRS on risk-informed, performance-based Regulation initiatives	Ongoing 4/8/99C	R. Barrett, DSSA/ M. Cunningham, RES

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
2. Report to the Commission on the status of proposed revision to Safety Goal Policy (9700262)	7/22/99C	J. Murphy, RES
3. Conduct meetings between Industry PRA Steering Committee and NRC Steering Committee	Ongoing	T. King, RES
4. Conduct meetings between Industry RI Licensing Panel and NRC RI Licensing Panel	Ongoing 2/17/99C	G. Holahan, DSSA
5. Meet with ACRS Subcommittee to discuss risk-informing Part 50	7/13/99C	T. Bergman, DRIP M. Cunningham, RES
6. Conduct public meetings to discuss staff response to SRM on modifying Part 50 to be risk informed	9/99	T. Bergman, DRIP/ T. King, RES

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
7. Issue safety evaluation on EPRI ISI topical report	10/31/99	S. Ali, DE NRR
8. Endorse ASME RI-ISI code cases via Regulatory Guide 1.147, contingent upon ASME completing code case by 12/31/996/2000.	9/003/2001	D. Jackson, RES/ S. Ali, DE, NRR
9. Commission paper in response to June 8, 1999 SRM regarding SECY-98-300. (See Note) (9900061-NRR) (9900062-RES)	10/99	T. Bergman, DRIP M. Cunningham, RES
10. Meet with ACRS and request letter with views and recommendations in regard to modifying Part 50 to be risk-informed per SRM	10/99	T. Bergman, DRIP M. Cunningham, RES
11. Proposed final Safety Goal Policy (9700262)	(See Note) 3/00	J. Murphy, RES

Comments:

7. The staff schedule to issue its safety evaluation report (SER) by 9/30/99 was based on presentation of its draft SER to the ACRS in August 1999. The ACRS presentation is now scheduled for September, 1999, since ACRS does not have a scheduled meeting in August. Based on this change, the staff schedule to issue its SER has been revised to 10/31/99.

~~8. The staff schedule to endorse ASME RI-ISI Code Cases via RG 1.147 was contingent upon ASME completing Code Cases by 6/31/99. The staff had a meeting with NEI and industry representatives on October 8, 1998. In that meeting, the ASME representatives informed the staff that the ASME plans to complete revisions of the RI-ISI Code by 12/99. Based on this, the staff schedule to endorse ASME RI-ISI Code Cases via RG 1.147 has been revised to 9/00.~~

The staff schedule to endorse ASME RI-ISI Code Cases via RG 1.147 was contingent upon ASME completing Code Cases by 12/31/99. Recently, the industry informed the staff that the Code Cases will be delayed 6 months until 6/2000. Based on this, the staff schedule to endorse ASME RI-ISI Code Cases via RG 1.147 has been revised to 3/2001.

9 and 10. The SRM for SECY 98-300 identified a number of staff activities to risk-inform Part 50. Additional items were added to this document (the CTM) in the August update to more comprehensively track these activities (see Specific Issue E).

11. In the Commission paper, the staff is proposing a completion date of 3/00 for the final

Safety Goal policy statement.

Additional Activities: The Center for Strategic and International Studies (CSIS) conducted a study of the NRC regulatory process. Former Chairman Jackson and Commissioner McGaffigan were members of the Steering Committee. Ashok Thadani was on the working group. The CSIS final report was released 8/3/99.

I. Topic Area: Risk-Informed and Performance-Based Regulation

SES Manager: Gary Holahan, Director, DSSA/NRR

B. Specific Issue: Pilot Applications

Objective: The goal of the pilot programs is to complete first of a kind risk-informed licensing reviews such that lessons learned may be utilized for future staff reviews. The pilot applications have provided a forum for developing guidance documents for both the staff and the industry.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Risk-Informed Licensing Panel (RILP) Meetings - assists in focusing management attention, as necessary, to identify other pilots and ensure lessons learned are developed from pilots	Ongoing 2/17/99C	G. Holahan, DSSA
2. Issue safety evaluation on SONGS H2 Recombiner	6/30/99C (See note)	M. Snodderly, DSSA

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
3. Issue safety evaluation on ANO-1 ISI pilot	8/99 8/25/99C (see note)	S. Ali, DE

Comments:

~~2. DSSA and Southern California Edison (SCE) briefed the AGRS on June 2, 1999 on San Onofre's request for exemption from hydrogen control requirements. The meeting produced a consensus for removing the hydrogen recombiners and hydrogen purge from the licensee's Technical Specifications and FSAR. During the presentation, SCE verbally committed to maintaining the equipment as part of the severe accident management guidelines with the caveat if available. SCE would also notify the staff if they were to ever abandon their efforts to maintain the equipment.~~

~~3. All licensing actions dates are contingent upon timely, technically acceptable industry responses to staff inquiries.~~

I. Topic Area: Risk-Informed and Performance-Based Regulation

SES Manager: Gary Holahan, Director, DSSA, NRR

C. Specific Issue: Plant-Specific Licensing Reviews

Objective: The use of probabilistic risk assessment in risk-informed decision making for changes to plant-specific licensing basis is intended to enhance safety decisions, efficiently utilize NRC resources and reduce unnecessary conservatism. The goal is to complete first of a kind risk-informed licensing reviews such that lessons learned may be utilized for future staff reviews.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Risk-Informed Licensing Panel (RILP) Meetings - assists in focusing management attention, as necessary, on risk-informed licensing actions.	Ongoing 2/17/99C	G. Holahan, DSSA
2. Issue safety evaluation on Sequoyah proposal on EDG AOT extension	12/18/98C	O. Chopra, DE DSSA support

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
3. Issue reliefs from augmented examination requirements for various licensees on BWR reactor pressure vessel circumferential welds	Ongoing	G. Carpenter, DE
4. Issue safety evaluation on Browns Ferry 2/3 proposal on EDG AOT extension	8/99 (see note) 8/02/99C	O. Chopra, DE, W. Long PD2, DSSA support
5. SER to be issued on CE Owners Group Joint Applications Report for HPSI system AOT extensions for 8 sites (see note)	9/99 1/15/00	W. Lyon
6. SER to be issued on CE Owners Group Joint Applications Report for CSS system AOT extensions for 8 sites	8/99 10/10/99	R. Goel M. Wohl
7. SER to be issued on B&W Owners Group Topical Report for LPI/RBS systems AOT extensions for 5 sites	7/22/99C	S. Brewer

Comments:

3. The staff issued Generic Letter 98-05, dated November 11, 1998, which informed BWR licensees that the staff had completed its review of the "BWR Vessel and Internals Project, BWR Reactor Pressure Vessel Shell Weld Inspection Recommendations (BWRVIP-05)," and that BWR licensees may request relief from the inservice inspection requirements of 10 CFR 50.55a(g) for the volumetric examination of circumferential reactor pressure vessel (RPV) welds. These reliefs will only be effective for the remaining term of operation under the current license. The staff ~~will continue~~ **is continuing** to expeditiously review these requests as they are received. **The staff granted two reliefs associated with Spring of 1999 outages and is in the process of reviewing two requests which it expects to complete for Fall 1999 outages.**

As stated in Generic Letter 98-05, "Boiling Water Reactor Licensees Use of the BWRVIP-05 Report to Request Relief From Augmented Examination Requirements on Reactor Pressure Vessel Circumferential Shell Welds," dated November 10, 1998," ... licensees of BWRs may request permanent (i.e., for the remaining term of operation under the existing, initial, license) relief from the inservice inspection requirements of 10 CFR 50.55a(g) for the volumetric examination of circumferential reactor pressure vessel (RPV) welds." To date, the staff has issued about twelve reliefs, and may issue approximately two dozen more, if the remaining licensees request this relief. The conclusion date reflects this expected additional work load.

4. Licensing action dates are contingent upon timely, technically acceptable industry responses to staff inquiries. Additional information has recently been received on the Browns Ferry 2/3 proposal.

5. The staff's review identified unanticipated, complex issues that led to a significant, unplanned effort, and the vendor and owners groups have requested changes in the material to be reviewed. All parties agree that the most effective and efficient course of action is to extend the due date for completion of the review as opposed to withdrawing and resubmitting the amendment request.

6. The review finalization date for the CEOG Joint Applications Report on modifications of the CSS Technical Specifications has been changed from 8/99 to 10/10/99 because of concerns with the sample TS submitted with the report and parallel industry efforts impacting a small portion of the review.

I. Topic Area: Risk-Informed and Performance-Based Regulation

SES Manager: Gary Holahan, Director, DSSA, NRR and Thomas King, Director, DST/RES

D. Specific Issue: Guidance Documents

Objective: To provide guidance for the staff and the industry which will enhance consistency and provide a infrastructure for use in risk-informed regulation.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Initiate work on Phase 2 PRA draft standard	6/99C	M. Drouin, RES

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
2. Issue GQA inspection procedure for use at the discretion of the Regions to verify the implementation of GQA on an as-needed basis.	8/99TBD (see note)	D. Dorman, DIPM
3. Integrate risk attributes into revised licensee performance assessment process (9700238) (NRR), (SECY-99-007 and 99-007A)	3/22/99C	DISP G. Parry, DSSA

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
4. Phase 1 PRA standard comments received and final draft developed	12/99 (See Note)	M. Drouin, RES
5. Phase 1 PRA standard issued as final by ASME	3/00	M. Drouin, RES
6. First Phase 2 PRA standard developed	TBD (See note)	M. Drouin, RES
7. Completion of Phase 2 PRA standard	TBD (See note)	M. Drouin, RES

Comments:

2. The staff met with the CRGR on June 22, 1999 to discuss changes that had been made to the inspection procedure. We have revised the procedure to address CRGR comments and have scheduled a follow-up meeting for 8/4/99 to present our changes. We expect to issue the procedure 8/99.

This milestone is being reevaluated based upon the need to include this inspection procedure in the revised performance assessment process.

4 and 5. Phase 1 is a standard for full power operation (internal events only) which is an ASME initiative and, therefore, the schedules are set by ASME. Phase 2 is for external events and shutdown. The schedule for completion of Phase 1 has been revised based on the large number of public comments received and must be addressed. ASME anticipates re-issuance of Phase 1 standard by 12/99 for consensus review. The staff is concerned that ASME may not meet this schedule and may not adequately address the staff's comments in the updated standard.

1, 6, and 7. Phase 2 of the PRA standard covers internal fire, external events and low power shutdown (LPSD). ANS will be developing a standard for LPSD conditions and external events (i.e., seismic). ANS has initiated work and is currently developing a plan with anticipation of issuing a schedule for completion of LPSD and seismic by 10/99.

I. Topic Area: Risk-Informed and Performance-Based Regulation

SES Manager: Cynthia Carpenter, Branch Chief, RGEB/DRIP/NRR

E. Specific Issue: Risk-Informed Scope of Certain Part 50 Requirements

Objective: To modify the scope of certain Part 50 regulations to be risk-informed, consistent with Option 2 of SECY-98-300 and its associated SRM dated June 8, 1999.

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
1. Present status of Option 2 efforts to Commission during PRA Implementation Plan briefing	8/25/99 9/7/99C	T. Bergman, DRIP
2. Conduct public meetings with interested stakeholders	8/27/99 8/26/99C 9/16/99	T. Bergman, DRIP
3. Brief ACRS and/or its subcommittees on Option 2 efforts.	9/99 9/23/99	T. Bergman, DRIP

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
4. ACRS review of rulemaking plan and associated Commission paper	10/99 9/30-10/1/99	T. Bergman, DRIP
5. Informational briefing for CRGR on rulemaking plan	10/99	T. Bergman, DRIP
6. Submit paper and rulemaking plan to Commission 9900061	10/31/99	T. Bergman, DRIP

Comments:

~~This item has been added to the CTM to more comprehensively track the activities associated with Option 2 of SECY-98-300.~~

1. Briefing changed at Commission direction.
2. Reflects actual date meeting held.
3. Meeting was moved to 9/23/99 for ACRS subcommittee.
4. Reflects scheduled date for meeting.

6. In accordance with SRM for SECY-98-300.

II. Topic Area: Reactor Inspection and Enforcement

SES Manager: William M. Dean, PIPB/DIPM/NRR and R. W. Borchardt, Director, OE

A. Specific Issue: Risk Informed Baseline Inspection Program

Program Manager: Alan L. Madison, NRR and John Flack, RES

Objective: To develop and implement a more risk informed, efficient, and effective baseline inspection program. By risk informed, it is meant that the inspection program's scope will be defined primarily by those areas that are significant from a risk perspective and that the inspection methods used to assess these areas will take advantage of both generic and plant specific risk insights.

Coordination: Issues II.A. "Risk Informed Baseline Inspection Program," II.B. "Enforcement Program Initiatives," II.C. "Escalated Enforcement Program," III.A. "Performance Assessment Process Improvements," and VI. F "Event Reporting Rulemaking," require close coordination and the integration of specific tasks by the NRC staff. Responsible project managers are coordinating these activities by assessing the impact of proposed program changes with the other ongoing activities and ensuring that the overall objectives for each project are achieved. Examples include, intra-project task force participation, workshop attendance, concurrent review of projects and periodic senior management briefings. In addition, industry-developed initiatives such as the NEI New Regulatory Oversight Process are being reviewed by all project groups and evaluated for impact.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Begin drafting program changes and start conducting training of staff	2/99C	A. Madison, DIPM
2.a. Begin pilot implementation of new baseline inspection program	5/30/99C	W. Dean, DIPM

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
2.b. Monitor pilot implementation of new baseline inspection program and review results	12/99	A. Madison, DIPM
3. Complete pilot implementation of new baseline inspection program	12/99	A. Madison, DIPM
4. Complete transition to risk informed baseline inspection program	4/00	W. Dean, DIPM

Comments:

2.b., 4. The staff is implementing the pilot baseline inspection program through November 1999. The SRM for SECY 99-007 and SECY 99-007A directed the staff to extend implementation of the new oversight program to April 1, 2000, to allow additional time for staff to review results of the pilot program, develop lessons learned from the pilots, and solicit feedback on process changes.

Deferrals and Suspensions:

The SALP process suspension will be continued indefinitely.

RES and NRR work assessing the effectiveness of the station blackout and anticipated transient without scram rules and generic safety issue A-45 (decay heat removal) has been deferred. The assessment of the Station Blackout Rule will be completed by 9/99, and the assessment of the ATWS Rule and resolution of USI A-45 (Decay Heat Removal) will be completed by 9/00.

II. Reactor Inspection and Enforcement

SES Manager: R. W. Borchardt, Office of Enforcement

B. Specific Issue: Enforcement Program Initiatives

Issues/Lead Individual:

- 1) NRC-licensee documentation and disposition of non-risk significant violations (C)
Mark Satorius
- 2) Severity Level IV violations
David Nelson
- 3) Industry Enforcement Process Proposals
Renee Pedersen

Due to the manner that these three issues are linked, all are being considered under one Plan of Action.

Objective: Reduce unnecessary licensee burdens associated with responding to non-risk significant violations (Issues Nos. 1 and 2) utilizing initial stakeholder inputs and proposals and soliciting stakeholder feedback following implementation of Enforcement Program changes (Issue No.3), without losing the NRC's ability to detect licensee problems in a timely manner.

Coordination: Issues II.A. "Risk Informed Baseline Core Inspection Program," II.B. "Enforcement Program Initiatives," II.C. "Escalated Enforcement Program," III.A. "Performance Assessment Process Improvements," and VI.F "Event Reporting Rulemaking," require close coordination and the integration of specific tasks by the NRC staff. Responsible project managers are coordinating these activities by assessing the impact of proposed program changes with the other ongoing activities and ensuring that the overall objectives for each project are achieved. Examples include, intra-project task force participation, workshop attendance, concurrent review of projects and periodic senior management briefings. In addition, industry-developed initiatives such as the NEI New Regulatory Oversight Process are being reviewed by all project groups and evaluated for impact.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Following Commission approval of the staff's Enforcement Policy revision, the Revised Policy is published in the Federal Register, with the message to stakeholders that six months after implementation of the Revised Policy, public meeting/workshops will be held for stakeholder feedback.	2/9/99C	M. Satorius

PRIOR TO JUNE 30, 1999		
2. Conduct video conferencing with Regional managers to outline the changes to the Enforcement Policy and provide agency expectations.	2/22/99C	M. Satorius
3. Implement revised Enforcement Policy.	3/11/99C	M. Satorius

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
4. Collect enforcement data following the implementation of the Revised Enforcement Policy, for later use in determining the success of the changes in accomplishing the objectives	Monthly after 3/11/99	D. Nelson
5. Solicit feedback from regional management, the inspection staff, and headquarters staff on the successes or failures of the Revised Enforcement Policy.	7/99C	R. Pedersen

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
6. Conduct public meetings/workshops with stakeholders to solicit feedback on the successes and shortcomings of the Revised Enforcement Policy	10/99	R. Pedersen
7. Assemble the collective views of the staff and stakeholders to determine whether the Revised Enforcement Policy has accomplished the objectives, or whether further staff action is needed. Submit Commission paper (9800159) (OE)	11/99	R. Pedersen

Comments:

None

II. Reactor Inspection and Enforcement

SES Manager: R. W. Borchardt, Office of Enforcement

C. Specific Issue: Escalated Enforcement Program Initiatives - "Regulatory Significance"/Risk

Objective: Incorporate clearer risk-informed enforcement guidance in the treatment of escalated violations.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Conduct a second public meeting with stakeholders to discuss application of regulatory significance.	2/9/99C	M. Satorius
2. Conduct a public meeting with stakeholders to discuss application of risk-informed enforcement.	2/9/99C	M. Satorius
3. Submit a Commission Paper that addresses the use of "regulatory significance." (9800069) (OE) (SECY 99-087)	3/24/99C	M. Satorius
4. Develop (proposed) risk-informed (revisions to) the Enforcement Policy.	3/24/99C	M. Satorius
5. Discuss (revisions) with stakeholders and solicit feedback	3/11/99C	M. Satorius
6. Develop revised enforcement policy for use during trial implementation of Performance Assessment Program.	3/22/99C	B. Westreich

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
7. Develop revised enforcement policy that addresses elimination of "regulatory significance." (9800069)	(8/16/99) (8/27/99 C)	R. Pedersen

Comments:

None

III. Topic Area: Reactor Licensee Performance Assessment

SES Manager: William M. Dean, PIPB/DIPM/NRR

A. Specific Issue: Performance Assessment Process Improvements (IRAP, Industry's Proposal, and Performance Indicators)

Program Manager: Alan L. Madison, PIPB/DIPM/NRR

Objective: The objective of this task is to develop and implement improvements to the NRC plant performance assessment process (and the overall reactor oversight process) to make it more risk-informed, efficient, and effective while combining the best attributes of the IRAP effort, the regulatory oversight approach proposed by NEI, and the staff efforts designed to develop risk-informed performance indicators.

Coordination: Issues II.A. "Risk Informed Baseline Inspection Program," II.B. "Enforcement Program Initiatives," II.C. "Escalated Enforcement Program," III.A. "Performance Assessment Process Improvements," and VI. F "Event Reporting Rulemaking," require close coordination and the integration of specific tasks by the NRC staff. Responsible project managers are coordinating these activities by assessing the impact of proposed program changes with the other ongoing activities and ensuring that the overall objectives for each project are achieved. Examples include, intra-project task force participation, workshop attendance, concurrent review of projects and periodic senior management briefings. In addition, industry-developed initiatives such as the NEI New Regulatory Oversight Process are being reviewed by all project groups and evaluated for impact.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Obtain Commission approval for pilot program implementation of recommended changes	6/99 C	W. Dean, DIPM
2. Obtain Industry approval to make public the data used in Industry's proposed Indicators for monitoring plant performance. Begin phase out of current Performance Indicator Program.	6/99 C	T. Wolf, RES
3. Complete development of implementation plan. Start phase-in (pilot) of the revised reactor oversight process.	6/99 C	A. Madison, DIPM

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
4. Continue pilot implementation of new reactor oversight process	7/99-12/99	A. Madison, DIPM

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
5. Begin trial application of risk-based performance indicators.	8/99 11/99	T. Wolf, RES
6. Complete NRC and licensee training on new reactor oversight process in preparation for full implementation	11/99-3/00	A. Madison, DIPM
7. Complete trial application, brief Commission, and publish candidate risk-based indicators for public comment. (9800160)(RES)	11/99 -2/00	T. Wolf, RES
8. Commence full implementation of new reactor oversight process	4/00	W. Dean, DIPM
9. Publish last Performance Indicator Report using current PIs	1/00	T. Wolf, RES
10. Hold public workshop on candidate risk-based performance indicators.	2/00	T. Wolf, RES
11. Brief commission on proposed risk-based performance indicators developed cooperatively by NRC and industry (9800161) (RES)	10/00	T. Wolf, RES
12. Implement Commission approved risk-based performance indicators developed cooperatively by NRC and industry	1/01	T. Wolf, RES M. Johnson, DIPM
13. Complete evaluation of implementation and effectiveness of the revised assessment process	6/01	M. Johnson, DIPM

Comments:

4. As part of its efforts to communicate with external stakeholders regarding the revised reactor oversight process, the NRC conducted public meetings in the vicinity of 5 pilot sites. This effort will also be conducted at 3 other pilot sites in the near future.

5, 7. During the initial definition phase it was determined that (a) additional expertise was

needed and a separate support contract is being placed, and (b) the effort required to complete the identification of the indicators and associated thresholds was more complicated and will take longer than originally planned. The result is a delay in the dates for these two milestones but the delay is compensated for by incorporating the workshop into the trial application and comment period rather than holding the workshop after the comment period was closed.

Deferrals and Suspensions:

The SALP process suspension will be continued indefinitely.

IV. Topic Area: Reactor Licensing and Oversight

SES Manager: Chris Grimes, Director, RLSB/DRIP/NRR

A. Specific Issue: License Renewal (includes Calvert Cliffs, Oconee and Generic Process Improvements)

Objective: Demonstrate that license renewal applications submitted under 10 CFR Parts 54 & 51 can be reviewed effectively, efficiently and promptly.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Issue §51.53 rule change to designate HLW transportation as a generic environmental impact for 60-day public comment (9800003)	2/99C	D. Cleary, DRIP
2. Issue Draft Environmental Statement for comment - Calvert Cliffs	2/24/99C	C. Grimes, DRIP
3. Complete Safety Evaluation Report (SER) and identify open items - Calvert Cliffs	3/21/99C	C. Grimes, DRIP
4. ACRS subcommittee meeting on Calvert Cliffs SER and open items	4/29/99 C	C. Grimes, DRIP
5. ACRS full committee meeting on Calvert Cliffs SER and open items	5/5/99C	C. Grimes, DRIP
6. Issue Draft Environmental Statement - Oconee	5/20/99C	C. Grimes, DRIP
7. Complete SER and identify open items - Oconee	6/16/99C	C. Grimes, DRIP

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
8. Maintain Calvert Cliffs and Oconee schedules	Ongoing	C. Grimes, DRIP
9. Conduct management meetings with license renewal applicants	Monthly	C. Grimes, DRIP
10. Steering Committee bimonthly meeting with NEI Working Group	2/26/99C 3/30/99C 5/12/99C 7/28/99C 9/28/99 9/29/99	C. Grimes, DRIP
11. ACRS subcommittee meeting on renewal process	Ongoing	C. Grimes, DRIP

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
12. Increased emphasis on renewal with EC and LRSC	Ongoing	C. Grimes, DRIP
13. Complete §51.53 final rule change to designate HLW transportation as a generic environmental impact for Commission approval (9800003) (SECY 99-202)	8/3/99C See Note	D. Cleary, DRIP
14. ACRS subcommittee meeting on Oconee SER and open items	7/1/99C	C. Grimes, DRIP
15. Commission approval to publish §51.53 rule change designating HLW transportation as a generic environmental impact, to be effective 30 days after date of publication	8/24/99C 8/99	D. Cleary, DRIP
16. ACRS full committee meeting on Oconee SER and open items	9/99	C. Grimes, DRIP

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
17. Issue Supplemental SER and Final Environmental Statement - Calvert Cliffs	11/16/99	C. Grimes, DRIP
18. ACRS subcommittee meeting on Calvert Cliffs Supplemental SER	1/00	C. Grimes, DRIP
19. ACRS full committee meeting on Calvert Cliffs Supplemental SER	2/00	C. Grimes, DRIP
20. Issue Supplemental SER and Final Environmental Statement - Oconee	2/12/00	C. Grimes, DRIP
21. ACRS subcommittee meeting on Oconee Supplemental SER	3/00	C. Grimes, DRIP
22. ACRS full committee meeting on Oconee Supplemental SER	5/00	C. Grimes, DRIP
23. License renewal decision complete for Calvert Cliffs	5/00	C. Grimes, DRIP
24. License renewal decision complete for Oconee	8/00	C. Grimes, DRIP
25. License renewal decision completed within 30-36 months of initial applications	Ongoing	C. Grimes, DRIP

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
26. Hearing (if request granted)	Per Comm. Sched.	

Comments:

~~10 & 11.3 & 4.~~ Steering Committee meetings with industry and ACRS subcommittee meetings with staff will continue periodically to ensure effective resolution of technical and process issues. The Steering Committee will periodically report progress to the Executive Council in accordance with the memo to Chairman Jackson dated 3/6/98.

~~13.~~ A SECY paper forwarding the final rule package and supporting analysis was sent to the Commission on 8/3/99.

15 & 17. Meeting the schedule dates for these milestones is contingent upon staff's receipt of the Commission's approval not later than 8/23/99 to publish **approved on 8/24/99, publication of** the final rule and Addendum 1 to NUREG-1437, Vol. 1, *Generic Environmental Impact Statement For License Renewal for Nuclear Plants* (GEIS). This final EIS (i.e., Addendum 1) ~~must be~~ **was** provided to EPA for its notice of filing. After the 30-day waiting period on this final EIS, the final rule ~~may~~ **will** become effective. **Scheduled publication in the Federal Register is 9/3/99, which results in an effective date for the rule of 10/5/99.** Thereafter, the final EIS for Calvert Cliffs (i.e., GEIS, Vol. 1, Supplement 1) must be provided to EPA for its notice of filing.

25. Projected receipt of license renewal applications:

FY00ANO-1 (Dec. 99) and Hatch 1&2 (Jan. 00)

FY01Turkey Point 3&4 (Dec. 00), joint Catawba 1&2 and McGuire 1&2 (mid-01 if requested exemption for early submittal approved), and **12** TBD.

FY02Peach Bottom 2&3 (Dec. 01), joint Surry 1&2 and North Anna 1&2 (Mar 02), and **12** TBD.

IV. Topic Area: Reactor Licensing and Oversight

SES Manager: Cynthia Carpenter, Branch Chief, RGEB/DRIP/NRR

B. Specific Issue: 50.59 Rulemaking

Objective: To provide clarity and flexibility in existing requirements

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Paper to Commission (SECY-99-054) summarizing public comments and forwarding recommendations on final rule language for Commission decision and providing recommendation on scope of 10 CFR 50.59 (9700191) and (9800044)	2/22/99C	E. McKenna, DRIP
2. Commission feedback received at briefing on 3/2/99 and in subsequent SRM on the briefing	3/31/99C	E. McKenna, DRIP
3. ACRS review of final rulemaking package	5/5/99C	E. McKenna, DRIP
4. CRGR review of final rulemaking package	5/6/99C	E. McKenna, DRIP
5. Issue paper containing final 10 CFR 50.59 rule to the Commission (9700191) SECY-99-130 (NRR)	5/12/99C	E. McKenna, DRIP

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
6. Meeting with industry/staff on guidance development plans.	7/22/99C	E. McKenna, DRIP
7. Publish final rule change 10 CFR 50.59 (97200191)	9/99	E. McKenna, DRIP
8. NEI provides draft revision of NEI 96-07 for staff review and comment	9/99	E. McKenna, DRIP

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
9. NEI submits revised NEI 96-07 for NRC endorsement	11/99	E. McKenna, DRIP
10. ACRS Briefing on NEI guidance and draft RG	12/99	E. McKenna, DRIP
11. Draft Regulatory Guide issued for public comment	1/00	E. McKenna, DRIP
12. Issue inspection guidance for internal review	1/00	E. McKenna, DRIP
13. ACRS and CRGR review of final guidance and RG	5/00	E. McKenna, DRIP
14. Final Regulatory Guide sent to Commission for approval (9700191)	5/00	E. McKenna, DRIP
15. Issue final inspection guidance	5/00	E. McKenna, DRIP
16. Conduct training for NRC staff on rule and inspection guidance	6/00	E. McKenna, DRIP

Comments:

7. Rule publication date was delayed until September due to time required for OMB review. A WITS date extension has been approved. Staff expects to provide final rule to SECY for signature by early September.

8- 16 Milestones adjusted to identify follow on activities after the rule is published consistent with Commission direction in SRM dated June 22, 1999 and to specify expected review committee interactions. NEI is assumed to provide the revised guidance document within the expected time frames.

IV. Topic Area: Reactor Licensing and Oversight

SES Manager: Cynthia Carpenter, Branch Chief, RGEB/DRIP/NRR

C. Specific Issue: FSAR Update Guidance

Objective: To provide consistent guidance on information to be contained in FSAR

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Publish draft regulatory guide endorsing NEI 98-03 for comment(ends 4/30/99)	3/17/99C	T. Bergman, DRIP
2. Resolve issues identified during public comment period	5/24/99 C	T. Bergman, DRIP
3. Receive and review revised NEI 98-03	6/01/99C	J. Birmingham, DRIP

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
4. ACRS review of final regulatory guide	7/14-16/99 C	J. Birmingham, DRIP
5. CRGR review of final regulatory guide	7/13/99 C	J. Birmingham, DRIP
6. Submit paper and final regulatory guide to Commission (9700198) (NRR) (SECY 99-203)	8/4/99C	J. Birmingham, DRIP
7. Publish final regulatory guide	9/99	J. Birmingham, DRIP

Comments:

6. Paper and final regulatory guide submitted to the Commission on 8/4/99.

IV. Topic Area: Reactor Licensing and Oversight

SES Manager: Cynthia Carpenter, Branch Chief, RGEB/DRIP/NRR

D. Specific Issue: Define Design Basis

Objective: To provide a clear definition of what constitutes design bases information.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Meet with NEI Task Force to discuss draft criteria and additional examples	4/16/99C	S. Magruder, DRIP
2. Send letter to NEI with staff position	5/14/99C	S. Magruder, DRIP
3. NEI submits revised guidance for review and endorsement	6/25/99 C	S. Magruder, DRIP

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
4. Resolve final staff comments and develop draft regulatory guide	9/99	S. Magruder, DRIP

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
5. ACRS and CRGR review of SECY and draft regulatory guide	10/99	S. Magruder, DRIP
6. Submit paper with draft regulatory guide to Commission (9800044) (NRR)	10/99	S. Magruder, DRIP
7. SRM to direct staff to publish draft regulatory guide for public comment (60 days)	11/99	S. Magruder, DRIP
8. Resolve issues identified during public comment period	3/00	S. Magruder, DRIP
9. ACRS and CRGR review of paper and final regulatory guide	4/00	S. Magruder, DRIP
10. Submit paper and final regulatory guide (9800044) (NRR)	5/00	S. Magruder, DRIP

Comments:

~~4-10. The staff met with the industry on July 22, 1999, to discuss the revised guidance submitted by NEI in a letter dated June 25, 1999. On the basis of discussions with NEI during the meeting, the staff agreed that additional time and effort is warranted to attempt to reach a consensus with the industry. In a letter dated July 28, 1999, NEI agreed to revise their guidance document again and meet with the staff in early September 1999. The milestone dates have been revised to reflect this change in schedule.~~

IV. Topic Area: Reactor Licensing and Oversight

SES Manager: William Beckner, RTSB/DRIP/NRR

E. Specific Issue: Improved Standard TS

Lead: RTSB Lead PM for each facility conversion

Objective: Conversion of facility technical specifications to the appropriate improved standard technical specifications will promote more consistent interpretation and application of technical specification requirements, thereby reducing the need for interpretations and frequent changes to the technical specifications. The goal for each milestone listed below is to complete the conversions currently under review such that the above objectives are met for the affected facilities.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Issue iSTS Amendments for Comanche Peak 1&2	2/26/99C	DRIP
2. Issue iSTS Amendments for: a. Wolf Creek b. Diablo Canyon 1&2 c. Callaway	3/31/99C 5/28/99C 5/28/99C	DRIP

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
3. Issue iSTS Amendment for Palisades	10/99	DRIP
4. Issue iSTS Amendments for Farley 1&2	10/99	DRIP
5. Issue iSTS Amendment for Fermi 2	10/99	DRIP

Comments:

~~3. The licensee has informed the staff that they intend to submit substantial changes to two sections of their submittal subsequent to receiving the draft SE which will cause a delay in the amendment. The exact delay can not be determined until the revisions are received and reviewed by the technical staff to determine if they are acceptable. The licensee is cooperating with the staff in reviewing options to recover schedule to the degree possible. The current best estimate for amendment issuance is 10/99. This date is still supportive of the licensee's needs as the licensee's implementation date is over a year in the future.~~

IV. Topic Area: Reactor Licensing and Oversight

SES Manager: Tad Marsh, Branch Chief, REXB/DRIP/NRR

F. Specific Issue: Generic Communications

Objective: Ensure the appropriate use of generic communications, increasing the efficiency of issuance, and utilizing the rulemaking process when appropriate.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. (a) Review policy of not taking credit for INPO SEE-IN products	2/24/99C	R. Dennig, DRIP
(b) Prepare and issue Commission paper (9900001) (SECY 99-117)	4/19/99C	J. Lyons , DRIP
2. Review relationship of generic communications to the backfit rule (coordinate with CRGR)	2/25/99C	R. Dennig, DRIP
3. Draft Commission information paper incorporating review of basis for invoking 50.54(f), definition/purpose of generic communication products, and relationship of generic communications to backfit rule.	3/19/99C	R. Dennig, DRIP
4. Meeting with ACRS	4/7/99C	J. Lyons , DRIP
5. Meet with NEI to discuss comments on draft Commission paper	4/22/99C	J. Lyons, DRIP
6. Issue Commission information paper (9900020) (NRR) (SECY 99-143)	5/26/99C	J. Lyons, DRIP

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
7. Disseminate guidance to staff	7/29/99C	J. Lyons, DRIP

Comments:

7. Memorandum from S. Collins to NRR staff.

IV. Topic Area: Reactor Licensing and Oversight

SES Manager: Bruce Boger, Acting Associate Director for Projects, NRR

G. Specific Issue: CALs

Objective: Confirmatory Action Letters (CALs) are issued to emphasize and confirm a licensee's or vendor's agreement to take certain actions in response to specific issues. The NRC expects licensees/vendors to adhere to any obligations and commitments addressed in a CAL and will issue appropriate orders to ensure that the obligations and commitments are met. The goal of the milestones listed below is to ensure that staff guidance on the use of CALs is appropriate and that the staff exercises appropriate discipline in the development and issuance of CALs.

Comments:

All actions associated with this task are complete as denoted on earlier updates of the CTM.

IV. Topic Area: Reactor Licensing and Oversight

SES Manager: Stuart Richards, Director, LPD4/DLPM/NRR

H. Specific Issue: Applicability of Backfit Rule to Decommissioning Activities

Objective: Resolve issue regarding proper interpretation and application of the Backfit Rule to decommissioning activities.

Comments:

All actions associated with this task are complete as denoted on earlier updates of the CTM.

IV. Topic Area: Reactor Licensing and Oversight

SES Manager: Suzanne Black, Deputy Director, Division of Licensing Project Management, NRR

I. Specific Issue: Requests for Additional Information

Objective: To refine/define RAI process and ensure that staff RAI's are adding value to the regulatory process.

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
1. Discuss issue of ensuring appropriateness of RAI's with management and staff (including content, quality and continued oversight). Conduct training on revised Office Letter 803 (milestone 9) when issued.	8/20/98C 1/5/99C 1/6/99C 1/14/99C Ongoing	Suzanne Black, DLPM
2. NRR licensing action steering group formed to work with industry steering group on improvements to the license amendment process - conducting periodic meetings.	10/98C 11/23/98C 12/10/98C 1/13/99C 3/18/99C 4/14/99C Ongoing	Suzanne Black, DLPM
3. Obtain feedback from industry licensing action task force on RAIs and develop metrics for RAIs	7/99C and 9/99	S. Black, DLPM
4. Train staff on management expectations regarding RAIs	Periodic	S. Black, DLPM

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
5. Revise Office Letter 803 to incorporate staff and industry feedback	12/99	S. Black, DLPM

Comments:

None

IV. Topic Area: Reactor Licensing and Oversight

SES Manager: Brian Sheron, Associate Director for Project Licensing and Technical Analysis, NRR

J. Specific Issue: 2.206 Petitions

Objective: The objectives of the 2.206 Petition review process include ensuring the public health and safety through the prompt and thorough evaluation of any potential safety problem addressed by a petition filed under 10 CFR 2.206 and to ensure effective, timely communication with the petitioner (Management Directive 8.11). The objective of the actions listed below is to identify and implement measures to improve the timeliness of staff response to petitions.

Comments:

2. ~~Revision to MD 8.11 which was the final milestone in this topic area was completed on time and issued on July 1, 1999, along with a press release.~~

All sections associated with this task are complete as denoted on earlier updates of the CTM.

IV. Topic Area: Reactor Licensing and Oversight

SES Manager: Tad Marsh, Branch Chief, REXB/DRIP/NRR

K. Specific Issue: Application of the Backfit Rule

Objective: Ensure that the staff closely adheres to the backfit rule, 10 CFR 50.109, in evaluating all additional requirements, expansion in scope, or unique interpretations against actual impact on public health and safety. Focus will be directed on risk-informed, performance-based regulation; also coordinating with backfit-related concerns on Generic Communications (IV.F), and Decommissioning (IV.H), and Evaluation of Industry Proposals and Rulemaking (I.A).

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
1. CRGR Yearly Meeting with Nuclear Utility Backfitting and Reform Group (NUBARG) on Backfit Issues	TBD	CRGR/NRR
2. CRGR Annual Report - Includes Industry Feedback on Effectiveness of Backfitting Process Includes Program Office Feedback and the Committee's Self Assessment on Value Added by CRGR Review (RES) 9700039	September 10/99	CRGR
3. Backfit training at Headquarters and Regions	FY99 TBD (see note)	RES/NRR/HR

Comments:

1. Dates for meeting are still being negotiated. Responsible offices identified in accordance with SECY-98-228.
2. Program Office responses delayed, CRGR has ~~requested~~ obtained an extension from the EDO for issuance of Annual Report in October. Milestone description changed to better reflects content of report.
3. Training will occur after CRGR yearly meeting with NUBARG (Milestone 1) to incorporate industry concerns.

V. Topic Area: NRC Organizational Structure and Resources

SES MANAGER: Paul E. Bird, Director, HR

A. Specific Issue: Reorganization - Restructuring Line Organizations

Objective: To improve organizational effectiveness and align resources required to carry out NRC planned activities through internal functional realignments and human resource re-allocations.

Comments:

All actions associated with this task are complete as denoted on earlier updates of the CTM.

V. Topic Area: NRC Organizational Structure and Resources

SES MANAGER: Paul E. Bird, Director, HR

B. Specific Issue: Achieving 1:8 Supervisor/Manager-to-Employee Ratios

Objective: To reduce supervisory and SES positions to achieve an agency-wide supervisor/manager-to-employee ratio target of one supervisor/manager for every eight NRC employees.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Complete implementation of reorganizations developed to achieve streamlining goals	3/31/99C	J. McDermott; Office Directors & Regional Administrators
2. Implement strategies to achieve supervisory ratio targets	4/30/99C	J. McDermott; Office Directors & Regional Administrators
3. Quarterly assessment of supervisor/manager-to-employee ratio	4/30/99C	J. McDermott

PRIOR TO SEPTEMBER 23, 1999		
Milestones	Date	Lead
4. Continue existing supervisor/manager-to-employee ratio reduction efforts	8/99C	J. McDermott; Office Directors & Regional Administrators
5. Quarterly assessment of supervisor/manager-to-employee ratio	<u>C</u> 8/99C	J. McDermott
6. Implement strategies to maintain supervisory ratio targets	<u>Ongoing</u>	J. McDermott; Office Directors & Regional Administrators

Comments:

~~4-6. Agency met its initial goal of 1:8 supervisor/manager-to-employee ratio; therefore, the milestone has been revised to implementation of strategies to maintain this ratio.~~

None

V. Topic Area: NRC Organizational Structure and Resources

SES MANAGER: Paul E. Bird, Director, HR

C. Specific Issue: Increased Employee Involvement

Objective: To enhance organizational effectiveness under the specific conditions imposed by the agency-wide streamlining effort -- including functional realignments, reductions in supervisory/managerial personnel, and increased spans of management control -- by delegating greater responsibility and accountability to individual employees and fostering greater interactive communications between employees and management.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Provide guidance to managers and supervisors on employee involvement concepts, including direction and assignment of work, delegation of authority, quality control, and responsibility and accountability for outputs and outcomes.	3/25/99C	J. McDermott
2. Begin interactive meetings between office managers/supervisors and staff consistent with EDO memorandum on employee involvement dated 3/25/99.	3/30/99C	J. McDermott; Office Directors & Regional Administrators; supervisors & managers

PRIOR TO SEPTEMBER 30, 1999		
Milestone	Date	Lead
3. Continue previous general efforts to foster delegations of responsibility and accountability to employees and more interactive communications between employees and managers.	Ongoing	J. McDermott; Office Directors & Regional Administrators

Comments:

None

VI. Topic Area: Other Agency Programs and Areas of Focus

SLS: Robert Wood, RGEB/DRIP/NRR

SES Manager: Lawrence Chandler, OGC

A. Specific Issue: License Transfers

Objective: To ensure that license transfers are conducted in a timely and technically correct manner and that review and submittal guidance is appropriately disseminated.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Commission provides comments on foreign ownership SRP through issuance of SRM	2/17/99C	S. Hom, OGC
2. Revised foreign ownership SRP sent to Federal Register for solicitation of public comments	2/24/99C	S. Hom, OGC
3. Complete technical review of TMI-1 transfer	3/4/99C	R. Wood, DRIP
4. Revised SRP based on public comments to Commission (SECY 99-165)	6/30/99C	S. Hom, OGC
5. Provide Commission with proposed final criteria for triggering a review under 10 CFR 50.80 regarding the transfer of operating authority to non-owner operators (i.e., use of contract service operating companies) (9800015) (NRR) (SECY 99-159)	6/21/99C	R. Wood, DRIP
6. Issue lessons learned from AmerGen TMI-1 transfer (SECY-99-171)	7/1/99C	R. Wood, DRIP

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
7. Commission approves final SRP on foreign ownership	9/15/99TBD	S. Hom, OGC
8. Issue final SRP on foreign ownership	SRM + 1 month	S. Hom, OGC R. Wood, DRIP

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
9. Develop SRP on technical qualifications	12/99	DIPM
10. Develop integrated SRP on license transfer process reflecting lessons learned and process improvements (9800195)	12/99	R. Wood, DRIP S. Hom, OGC

Comments:

7-8. Commission is still reviewing the proposed SRP on foreign ownership. Best estimate for Commission action is September 1999. Final SRP will be issued approximately 1 month after Commission approval.

10. SRP will integrate all license transfer review criteria (financial qualifications, decommissioning funding assurance, technical qualifications, foreign ownership, and antitrust).

VI. Topic Area: Other Agency Programs and Areas of Focus

SES Manager: Chris Grimes, Director, RLSB/DRIP/NRR

B. Specific Issue: AP600 Design Certification Rulemaking

Objective: Issue final design approval (FDA) and design certification rule for AP600.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Submit proposed rule [PRM] to Commission (9200142) (SECY-99-101)	3/31/99C	J.N. Wilson, DRIP
2. Issue PRM for public comment and hearing opportunity	05/20/99C	J.N. Wilson, DRIP

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
3. Receive comments on PRM	08/99C	J.N. Wilson, DRIP

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
4. Submit final rule to Commission (9200142)	10/99	J.N. Wilson, DRIP
5. Issue final rule (NRR)	12/99	J.N. Wilson, DRIP

Comments:

4. This milestone includes submission of the revised rulemaking package to ACRS for its review and initiation of the concurrence process.

VI. Topic Area: Other Agency Programs and Areas of Focus

SES Manager: Susan F. Shankman, Dep. Director, Licensing and Inspection Directorate, SFPO

C1. Specific Issue: Transnuclear TN-68 (Dual Purpose) Cask Review

Objective: To issue a Part 72 (storage) SER and certificate of compliance (through rulemaking) and a Part 71 (transportation) certificate of compliance for the TN-68 dual purpose cask system

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Staff issues user need memorandum/rulemaking	03/09/99C	E. Easton, SFPO
2. Staff issues draft SER and CoC for rulemaking	05/20/99C	M. Ross-Lee, SFPO
3. Receive application for transportation cask	05/21/99C	M. Ross-Lee, SFPO

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
4. Staff Issues RAI #1	09/99	D. Tikinsky, SFPO

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
5. Applicant response to RAI #1	10/99	D. Tikinsky, SFPO
6. Staff Issues RAI #2, (if necessary)	01/00	D. Tikinsky, SFPO
7. Applicant response to RAI #2 (if necessary)	03/00	D. Tikinsky, SFPO
8. Staff completes rulemaking; issues CoC for use under Part 72	04/00	P.Eng, SFPO P. Holahan, IMNS
9. Staff Issues Part 71 SER and CoC	06/00	D. Tikinsky, SFPO

Comments:

None

VI. Topic Area: Other Agency Programs and Areas of Focus

SES Manager: Susan F. Shankman, Dep. Director, Licensing and Inspection Directorate, SFPO

C2. Specific Issue: BNFL Fuel Solutions (BFS) TranStor (Dual Purpose) Cask Review

Objective: To issue a Part 72 (storage) SER and certificate of compliance (through rulemaking) and a Part 71 (transportation) certificate of compliance for the BFS dual purpose cask system

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Staff issues user need memorandum/rulemaking	05/27/99C	P.Eng, SFPO

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
2. Staff receives updated SAR from applicant	09/99 TBD	T. Kobetz, SFPO

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
3. Staff issues draft SER and CoC for rulemaking	10/99 TBD	T. Kobetz, SFPO
4. Staff issues Part 71 (transportation) CoC	02/00 TBD	T. Kobetz, SFPO
5. Staff completes rulemaking; issues CoC for use under Part 72	09/00 TBD	P.Eng, SFPO P. Holahan, IMNS

Comments:

General: On March 22, 1999, BNFL completed the purchase of the commercial nuclear power business of Westinghouse Electric Company. As a result, BFS will combine with Westinghouse Spent Nuclear Fuel Programs to form a single company that will oversee the design and licensing of the TranStor and Westflex dual purpose cask applications.

Milestones 2 through 5. On July 1 and 9, 1999, BFS notified NRC that it would not be able to meet schedule commitments to provide additional information required by the staff to complete their review of the Part 71 and Part 72 applications. ~~The impact of the delay on the milestone dates identified above is under review by the staff.~~ BFS has not committed to NRC when it would be able to meet the outstanding commitments. Therefore, the staff cannot reschedule the completion of the TranStor Storage and Shipping Cask reviews until it has received the

information from BFS.

VI. Topic Area: Other Agency Programs and Areas of Focus

SES Manager: Susan F. Shankman, Dep. Director, Licensing and Inspection Directorate, SFPO

C3. Specific Issue: Holtec HISTAR 100 (Dual-Purpose) Cask Review

Objective: To issue a Part 72 (storage) SER and certificate of compliance (through rulemaking) and a Part 71 (transportation) certificate of compliance for the Holtec HISTAR 100 dual purpose cask system

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Staff issues transportation (Part 71) CoC	03/31/99C	M. Delligatti, SFPO

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
2. Staff completes rulemaking; issues CoC for use under Part 72	08/99 8/23/99C	P.Eng, SFPO P. Holahan, IMNS

Comments:

2. On August 23, 1999, the EDO approved and signed the final rule. The final rule was forwarded to the Office of Federal Register on August 31, 1999. The CoC is effective 30 days after the final rule is published in the Federal Register. This action is considered complete.

VI. Topic Area: Other Agency Programs and Areas of Focus

SES Manager: Susan F. Shankman, Dep. Director, Licensing and Inspection Directorate, SFPO

C4. Specific Issue: BNFL Fuel Solutions WESFLEX (Dual Purpose) Cask Review

Objective: To issue a Part 72 (storage) SER and certificate of compliance (through rulemaking) and a Part 71 (transportation) certificate of compliance for the Westinghouse WESFLEX dual purpose cask system

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Staff receives responses to RAIs	03/29/99C	M. Bailey, SFPO

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
2. Staff issues final RAI, if necessary	09/99 8/24/99C	M. Ross-Lee, SFPO

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
3. Staff receives response to RAI, if necessary	11/99	M. Ross-Lee, SFPO
4. Staff issues user need memorandum/rulemaking	02/00	P.Eng, SFPO
5. Staff issues draft SER and CoC for rulemaking	03/00	M. Ross-Lee, SFPO
6. Staff complete rulemaking; issues CoC for use under Part 72	02/01	P.Eng, SFPO P. Holahan, IMNS

Comments:

General: On March 22, 1999, BNFL completed the purchase of the commercial nuclear power business of Westinghouse Electric Company. As a result, BFS will combine with Westinghouse Spent Nuclear Fuel Programs to form a single company that will oversee the design and licensing of the TranStor and Wesflex dual purpose cask applications.

1. Due to a 3-week delay by Westinghouse to respond to the RAI, staff did not resume review of the Wesflex application until April 30, 1999 (a 7-week delay from the original date of March 9,

1999). This allowed the staff to conduct other high-priority work during that period.

VI. Topic Area: Other Agency Programs and Areas of Focus

SES Manager: Susan F. Shankman, Dep. Director, Licensing and Inspection Directorate, SFPO

C5. Specific Issue: NAC-STC/MPC (Dual Purpose) Cask Review

Objective: To issue a Part 72 (storage) SER and certificate of compliance (through rulemaking) and a Part 71 (transportation) certificate of compliance for the NAC-STC/MPC dual purpose cask system

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Staff issues Part 71 (transportation) CoC	03/25/99C	T. McGinty, SFPO
2. Staff issues draft storage SER and CoC for rulemaking	03/25/99C	T. McGinty, SFPO

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
None		

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
3. Staff complete rulemaking; issue CoC for use under Part 72	02/00	P.Eng, SFPO P. Holahan, SFPO

Comments:

None

VI. Topic Area: Other Agency Programs and Areas of Focus

SES Manager: Susan F. Shankman, Dep. Director, Licensing and Inspection Directorate, SFPO

C6. Specific Issue: NAC-UMS (Dual Purpose) Cask Review

Objective: To issue a Part 72 (storage) SER and certificate of compliance (through rulemaking) and a Part 71 (transportation) certificate of compliance for the NAC-UMS dual purpose cask system

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Staff issues second storage RAI, if necessary	5/27/99C	T. McGinty, SFPO

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
2. Staff receives second storage RAI response	08/99 8/13/99C	T. McGinty, SFPO
3. Staff issues user need memorandum/rulemaking	08/99 7/23/99C	P.Eng, SFPO
4. Staff issues first transportation RAI	09/99 8/30/99C	T. McGinty, SFPO

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
5. Staff issues draft storage SER and CoC for rulemaking	11/99	T. McGinty, SFPO
6. Staff completes rulemaking; issues CoC for use under Part 72	10/00	P.Eng, SFPO P. Holahan, IMNS
7. Staff issues second transportation RAI, if necessary or staff issues CoC and SER	4/00	T. McGinty, SFPO
8. Staff receives second transportation RAI response, if necessary	6/00	T. McGinty, SFPO
9. Staff issues transportation CoC and SER	8/00	T. McGinty, SFPO

Comments:

Milestones 5 and 6. On July 16, 1999, NAC submitted an amendment request for the Part 72 application to include all fuel to be stored at Maine Yankee. The staff is currently evaluating the potential effect on the Part 72 application review schedule.

VI. Topic Area: Other Agency Programs and Areas of Focus

SES Manager: Susan F. Shankman, Dep. Director, Licensing and Inspection Directorate, SFPO

C7. Specific Issue: TN-West MP-187 (Dual-Purpose) Cask Review

Objective: To issue Part 71 (transportation) certificate of compliance for MP-187 transportation cask system

Comments:

All actions associated with this task are completed, as denoted on earlier updates of the CTM.

VI. Topic Area: Other Agency Programs and Area of Focus

SES Manager: Stuart Richards, Director, PDIV/DLPM/NRR

D1. Specific Issue: Decommissioning Decisions

Objective: Provide timely decisions on current issues and provide framework for decommissioning activities.

All actions associated with this task are complete as denoted on earlier updates of the CTM.

VI. Topic Area: Other Agency Programs and Area of Focus

SES Manager: Stuart Richards, Director, PDIV/DLPM/NRR

D.2 Specific Issue: Decommissioning Regulatory Improvements

Objective: Initiate rulemaking activities based on an integrated approach to decommissioning nuclear power plants as discussed in SECY-99-168.

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
1. Conduct a workshop with NEI and public stakeholders regarding the staff's preliminary assessment of the risks from spent fuel pools at decommissioning reactors	7/16/99C (See Comment)	R. Dudley, PDIV-3

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
2. Technical staff to finalize decommissioning spent fuel pool risk criteria that can be used for decommissioning regulatory decision making	3/31/00	G. Hubbard, SPLB/DSSA
3. Submit an integrated, risk-informed rulemaking plan for decommissioning nuclear power plants that addresses emergency planning, insurance, safeguards, operator staffing & training, and possibly other areas (such as fitness-for-duty)	5/31/00	B. Huffman, PDIV-3
4. Submit a rulemaking plan for consolidating decommissioning regulations into a separate dedicated location with Title 10 of the Code of Federal Regulations (contingent on Commission approval of SECY-99-168)	8/31/00	B. Huffman, PDIV-3

Comments:

1. The workshop was conducted July 15-16, 1999, at the Holiday Inn, Gaithersburg, MD. Active stakeholder participants included representatives from the Union of Concerned Scientists, the Nuclear Information Resources Service, the Nuclear Energy Institute, and Friends of the Coast. Other organizations and groups attending the workshop included FEMA and the State of New Jersey.

VI. Topic Area: Other Agency Programs and Areas of Focus

SES Manager: Susan F. Shankman, Dep. Director, Licensing and Inspection Directorate, SFPO

E. Specific Issue: PGE-Trojan Reactor Vessel Shipment Application

Objective: To issue Part 71 (transportation) approval to ship the Trojan reactor vessel, with internals, for disposal in the State of Washington

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
None		

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
1. Inspection follow-up prior to and during shipment	08/99 8/8/99C	B. Spitzberg, RIV

Comments:

Part 71 approval to ship the Trojan reactor vessel was completed in October 1998. Inspection follow-up is scheduled for ~~was completed~~ August 8, 1999, and the vessel has been shipped. The inspection report will be issued in September 1999.

VI. Topic Area: Other Agency Programs and Areas of Focus

SES Manager: Cynthia Carpenter, Branch Chief, RGEB/DRIP/NRR

F. Specific Issue: Event Reporting Rulemaking

Objective: Revise event reporting requirements to reduce the reporting burden associated with events of little or no risk significance, obtain information better related to risk, and extend reporting time limits consistent with the need for prompt NRC action.

Coordination: Issues II.A, "Risk Informed Baseline Core Inspection Program," II.B, "Enforcement Program Initiatives," II.C, "Escalated Enforcement Program," III.A, "Performance Assessment Process Improvements," and VI.F, "Event Reporting Rulemaking," require close coordination and the integration of specific tasks by the NRC staff. Responsible project managers are coordinating these activities by assessing the impact of proposed program changes with the other ongoing activities and ensuring that the overall objectives for each project are achieved. Examples include, intra-project task force participation, workshop attendance, concurrent review of projects and periodic senior management briefings. In addition, industry-developed initiatives such as the NEI New Regulatory Oversight Process are being reviewed by all project groups and evaluated for impact.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. CRGR Briefing	3/11/99C	D. Allison, DRIP
2. ACRS Briefing	3/23/99C	D. Allison, DRIP
3. Proposed rule to the Commission including proposed enforcement policy changes (9800096) (NRR) (SECY 99-119)	4/19/99C	D. Allison, DRIP R. Borchardt, OE
4. Publish proposed rule (10 CFR 50.72 and 50.73)	7/6/99C	DRIP

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
5. Conduct a public workshop	8/3/99C	D. Allison, DRIP

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
6. Brief CRGR	2/4/00	D. Allison, DRIP
7. Brief ACRS	2/11/00	D. Allison, DRIP

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
8. Final rule to Commission (9800096) (NRR)	3/10/00	D. Allison, DRIP
9. Publish final rule	4/7/00	DRIP

Comments:

~~6-9. Specific dates have been provided for Milestones 6 through 9, based on the publication date of the proposed rule (7/6/99C).~~

VI. Topic Area: Other Agency Programs and Areas of Focus

SES Managers: Cynthia Carpenter, Branch Chief, RGE/DRIP/NRR (Rulemaking);
Frank Congel, Director, IRO (Other Activities)

G. Specific Issue: Proposed KI Rulemaking

Objective: To Implement Commission decision regarding the use of KI as a protective measure for the general public after a severe reactor accident. In addition, to work with other Federal agencies to revise the Federal policy on the use of KI in the event of a severe nuclear power plant emergency and to develop aids to assist the states in applying the revised Federal policy.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Publish Proposed Rule (9800173) (NRR)	6/14/99C	M. Jamgochian, DRIP

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
42. Brief CRGR and ACRS	10/99	M. Jamgochian, DRIP
93. Forward Final KI Rule Package to EDO	12/15/99 (see note)	M. Jamgochian, DRIP
24. Revise KI technical paper (NUREG-1633) to address public comments and provide to Commission (9700193) (IRO)	12/99	A. Mohseni, IRO
5. Develop final KI Federal policy FRN reflecting FRPCC review and send to Commission (9700193) (IRO)	12/99	A. Mohseni, IRO
36. Final brochure on use of KI provided to Commission for review (9700193) (IRO)	1/00	A. Mohseni, IRO
97. Publish Final Rule (9800173) (NRR)	12/30/99 1/31/00 (see note)	M. Jamgochian, DRIP
8. Publish KI Federal Policy FRN	2/00	A. Mohseni, IRO
69. Publish final technical paper (NUREG-1633)	3/00	A. Mohseni, IRO
710. Finalize the public brochure on use of KI and provide to FEMA for publication	4/00	A. Mohseni, IRO

BEYOND SEPTEMBER 23, 1999		
110. Establish procedures to access Federal stockpiles with FEMA	5/00 (see note)	A. Mohseni, IRO

Comments:

3,7. The public comment period for the rule ends 9/13/99; the staff requires three months to evaluate comments, revise the rulemaking package, and obtain concurrence before forwarding the final rulemaking package to the EDO.

24. The FDA continues to review its 1978 and 1982 position on the use of KI. The FDA's position is important to the content of the NUREG. It is unlikely that FDA will announce its revised position by 10/99. This date may slip further if FDA does not announce its revised position by 12/99.

5,8. As explained in note 2 above, the Federal policy cannot be revised until the FDA completes its review and announces its revised position. It is unlikely that FDA will announce its revised policy before 10/99. The Commission decision of April 22, 1999, not to fund State Stockpiles requires more negotiations with other federal agencies, particularly FEMA. This schedule will need to be negotiated, current best estimate is 2/00. With regards to regional stockpiling of KI, the NRC staff met with FEMA staff and CDC on August 4, 1999, to begin negotiations to achieve convergence between the agencies on the attributes of a revised Federal KI Policy. A second meeting was conducted on August 26, 1999, to continue negotiations.

3,7,6,10. The development of the public brochure is tied to the completion of the NUREG.

69. The NUREG will be finalized after public comment.

110. Based on the Commission SRM dated April 22, 1999, the staff is directed to work with FEMA to establish and maintain regional KI stockpiles to be used in the event of a severe nuclear power plant accident. This is a new initiative and will have to be negotiated with FEMA. Best estimate is 5/00, subject to future revision. (See 5,8 above).

VI. Topic Area: Other Agency Programs and Areas of Focus

SES Manager: Bill Kane, Associate Director for Inspection and Programs , NRR

H. Specific Issue: NEI Petitions - Petition for modifying 50.54(a)

Objective: Complete the NEI Petition, accepting in part to modify 10 CFR Part 50.54(a), as it pertains to Quality Assurance Program Change Control and is intended to reduce burdens on industry.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Publication of a Federal Register Notice to accept in part the NEI petition for rulemaking and proposing a Direct Final Rule (9800166) (NRR) (SECY 98-279)	02/99C	R. Gramm, DRCH
2. Direct Final Rule effective if no significant adverse comments received.	04/26/99C	D. Dorman, DIPM

PRIOR TO SEPTEMBER 23, 1999		
Milestones	Date	Lead
3. Coordinate a workshop with NEI to discuss implementation aspects of Direct Final Rule.	TBD 6/21/99C	D. Dorman, DIPM
4. Issue Voluntary Option rule for public comment via Federal Register Notice.	TBD	D. Dorman, DIPM

BEYOND SEPTEMBER 23, 1999		
Milestones		Lead
5. Hold meetings and workshops with stakeholders to fully develop voluntary option rulemaking. (9900004)	1/00	D. Dorman, DIPM
6. Evaluate public comments on Voluntary Option Rule and prepare Final Rule. (9900004)	1/01	D. Dorman, DIPM
7. Issue Voluntary Option Rule in Federal Register Notice.	TBD	D. Dorman, DIPM
8. Hold a workshop to discuss implementation aspects of Voluntary Option Rule.	TBD	D. Dorman, DIPM

Comments:

The Direct Final Rule was published on 2/23/99 and became effective on 4/26/99 based on a determination that no significant adverse comment was received by 3/25/99. Six comment letters were received. NEI and two licensees provided favorable comments on the Direct Final Rule. Other letters (from a licensee and members of the public) requested clarification of certain provisions of the rule. The staff determined that none of the comments constituted significant adverse comments, therefore the Direct Final Rule became effective 4/26/99.

QA plan change control, and 50.54(a), was a topic of a panel discussion during the Regulatory Information Conference.

SECY-98-279 stated that the voluntary option proposed rule will be developed one year after receipt of the SRM, and a final rule the following year.

VI. Topic Area: Other Agency Programs and Areas of Focus

SES Manager: Gary Holahan, Director, DSSA/NRR)

I. Specific Issue: Revised Source Term Rulemaking

Objective: To revise Part 50 to allow holders of operating power reactor licensees to voluntarily amend the facility design basis to use revised source terms in design basis accident radiological analyses. This action would allow these facilities to pursue risk-informed licensing actions made possible through the use of the revised source term.

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Publish in Federal Register	3/99C	T. Essig, DIPM
2. Complete draft guide; draft SRP section	5/99C	R. Barrett, DSSA
3. End of Public Comment Period	5/99C	R. Barrett, DSSA

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
4. Office concurrence on final rule; draft guide; draft SRP	8/99C	R. Barrett, DSSA
5. ACRS review	9/99	R. Barrett, DSSA
6. CRGR review	8/99C	R. Barrett, DSSA
7. Final rule; draft guide; draft SRP to EDO (9700025) (NRR)	8/99 9/99	R. Barrett, DSSA
8. Final rule; draft guide; draft SRP to Commission	9/10/99	R. Barrett, DSSA

BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
9. End of public comment period	12/99	R. Barrett, DSSA
10. Office concurrence on final guide; final SRP	1/00	R. Barrett, DSSA
11. ACRS review on final guide; final SRP	1/00	R. Barrett, DSSA
12. CRGR concurrence on final guide; final SRP	2/00	R. Barrett, DSSA
13. Final guide; final SRP to EDO (9700025) (NRR)	2/00	R. Barrett, DSSA

14. Final guide; final SRP to Commission	3/3/00	R. Barrett, DSSA
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Comments:

~~Staff made presentation on source term issues at March 1999 R.I.C. Staff conducted a public meeting with NEI and industry on 4/20/99.~~

~~4. Extended to allow additional concurrence review time.~~

~~5. The rulemaking package is on the agenda for an ACRS subcommittee meeting tentatively scheduled for 8/9-11. Rulemaking package presented to ACRS subcommittee on 8/10. The full ACRS meeting is tentatively scheduled for the first week in September. The staff does not expect the change to milestone #5 to affect remaining milestones.~~

7. Date changed to reflect the need for ACRS review prior to forwarding to EDO.

8-14. The staff has requested and was granted an extension of milestone #8 due to scheduling of CRGR August meeting. The staff has decided that the public comment period (milestone #9) should be extended from 45 to 75 days and that additional comment resolution time be added. This will affect milestones #9 to #14. The staff will update these milestones when the Commission approves the final rule and availability of draft regulatory guide (following milestone #8).

VII. TOPIC AREA: Uranium Recovery Issues

SES Manager: John Surmeier, Branch Chief, Uranium Recovery and Low-Level Waste Branch

A. Specific Issue: Uranium recovery concerns raised in Senate report

- C Dual regulation of ground water at in situ leach (ISL) facilities
- C Expanded use of mill tailings impoundments to dispose of other material
- C Eliminate consideration of economics in the processing of alternate feedstock

Objective: To look for ways to:

1. eliminate dual regulation of ISLs facilities;
2. reduce unnecessary regulatory burden on uranium mills wanting to expand the use of impoundments for disposal of other materials besides mill tailings; and
3. encourage uranium mills who want to engage in recycling of materials for their uranium content

PRIOR TO JUNE 30, 1999		
Milestone	Date	Lead
1. Commission paper on ways to eliminate dual regulation at ISL facilities (9800176) (NMSS) (SECY 99-013)	3/12/99C	Charlotte Abrams, NMSS
2. Commission paper on revising guidance for expanding disposal capability of uranium mill tailings impoundments, and ask for Commission policy on hearing orders concerning need to consider economics in alternate feedstock evaluations (9800180) (NMSS) (SECY 99-012)	4/8/99C	Charlotte Abrams, NMSS
3. Complete hearing on alternate feedstock amendment to see how State of Utah concerns about staff not applying appropriate economics criteria is determined.	02/09/99C	P. Block, ASLBP

PRIOR TO BEYOND SEPTEMBER 23, 1999		
Milestone	Date	Lead
4. Issue revised draft guidance on disposal capability with Commission-approved revisions	6 months after Comm. Direction	Dan Gillen, NMSS
5. Implement any changes in review of alternate feedstock that result from hearing and Commission review of previous hearing orders	6 months after Comm. Direction	Dan Gillen, NMSS

PRIOR TO BEYOND SEPTEMBER 23, 1999		
6. Complete Part 41 rulemaking plan, including recommendations on regulatory changes to address the three issues (9800177) (NMSS)	4 months after Comm. Direction	Mark Haisfield Mike Fliegel, NMSS
7. Revise ISL Standard Review Plan to implement staff recommendations if approved by Commission	6 months after Comm. Direction	Bill Ford, NMSS
8. Commission paper on concurrent jurisdiction	10/15/99	Mike Fliegel, NMSS
9. Publish proposed Part 41 for public comment, including regulatory changes to address three issues (9800177) (NMSS)	4/00 12 months after completion of the rulemaking plan	Mark Haysfield/ Mike Fliegel, NMSS
10. Publish final Part 41 codifying agency policy on resolution of three issues. (9800177) (NMSS)	08/01 11 months after publication of proposed rule	Mark Haysfield/ Mike Fliegel, NMSS

Comments:

General: Three issues raised in the Senate report were addressed in the National Mining Association white paper that was presented to the Commission in April 1998.

3. The most recent alternate feedstock amendment issued by the staff is being contested by the State of Utah and Envirocare. One of the contentions is that the staff failed to conduct the appropriate economics test in accepting the amendment application. A decision from the presiding Officer in this hearing was received on February 9, 1999. The decision provides guidance that the staff factored into the portions of the Commission Paper (item 2 above) dealing with alternate feedstock. Utah appealed the presiding officer's decision to the Commission on April 26, 1999. The Commission agreed to review the decision. The staff will proceed after the Commission has ruled.

5, 8, 9. A draft of the Part 41 rulemaking plan and accompanying Commission paper was sent to the Commission on 1/15/99, SECY 99-011. ~~After the A Commission meeting was held on the uranium recovery program on June 17, 1999. The Commission should provide direction to the staff is awaiting direction from the Commission on Part 41. After receiving direction from the Commission, the staff will use that direction in proceeding with rulemaking on Part 41.~~

3,5,6,7. Based on the indeterminate dates for Commission direction on SECYs 99-011,012,and 013, these dates have been changed to 4-6 months after Commission direction.

9,10. Based on the indeterminate dates for Commission direction on SECYs 99-011, 012 and 013, these dates have been changed to 12 months after the rulemaking plan and 11 months

after proposed rule publication.

VIII. Topic Area: Changes to NRC's Hearing Process

SES Manager: Joe Gray, OGC

A: Specific Issue: Use of Informal Adjudicatory Procedures

PRIOR TO SEPTEMBER 23, 1999		
Milestone	Date	Lead
1. Commission Guidance	TBD 7/22/99C	K. Cyr, OGC
2. Prepare legislation for Commissioner review.	TBD 8/5/99C	T. Rothschild, OGC
3. Prepare notice of proposed rulemaking for Commission review.	TBD 12/15/99	T. Rothschild, OGC
4. Prepare final rule	TBD	T. Rothschild, OGC

Comments:

~~Commission did not find a need for a briefing on the OGC paper on the hearing process.~~

1. SRM issued 7/22/99.

